

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

B.P.J., by her next friend and mother,  
HEATHER JACKSON,

*Plaintiff,*

v.

Civil Action No. 2:21-cv-00316  
Hon. Joseph R. Goodwin, District Judge

WEST VIRGINIA STATE BOARD OF  
EDUCATION, HARRISON COUNTY BOARD  
OF EDUCATION, WEST VIRGINIA  
SECONDARY SCHOOL ACTIVITIES  
COMMISSION, W. CLAYTON BURCH in his  
official capacity as State Superintendent,  
DORA STUTLER in her official capacity as  
Harrison County Superintendent, PATRICK  
MORRISEY in his official capacity as Attorney  
General, and THE STATE OF WEST VIRGINIA,

*Defendants,*

and

LAINEY ARMISTEAD,

*Defendant-Intervenor.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of March, 2022, I electronically filed the foregoing Certificate of Service of “Defendant Harrison County Board of Education’s Responses and Objections to Plaintiff’s Second Set of Requests for Admission” with the Clerk of the Court using the CM/ECF system, and a true and exact copy of such filing was sent by email to the following counsel of record:

**Joshua A. Block, Esquire**  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
125 Broad Street 18<sup>th</sup> Floor  
New York, NY 10004  
*Counsel for Plaintiff*

**Loree Beth Stark, Esquire**  
**Nicholas P. Ward, Esquire**  
AMERICAN CIVIL LIBERTIES UNION  
OF WEST VIRGINIA  
1614 Kanawha Boulevard East  
Charleston, WV 25311  
*Counsel for Plaintiff*

**Avatara A. Smith-Carrington, Esquire**  
LAMBDA LEGAL  
3500 Oak Lawn Avenue Suite 500  
Dallas, TX 75219  
*Counsel for Plaintiff*

**Carl Solomon Charles, Esquire**  
**Tara L. Borelli, Esquire**  
LAMBDA LEGAL  
158 West Ponce De Leon Avenue, Suite 105  
Decatur, GA 30030  
*Counsel for Plaintiff*

**Sruti J. Swaminathan, Esquire**  
LAMBDA LEGAL  
120 Wall Street 19<sup>th</sup> Floor  
New York, NY 10005  
*Counsel for Plaintiff*

**Kathleen R. Hartnett, Esquire**  
**Julie Veroff, Esquire**  
**Zoë Helstrom, Esquire**  
COOLEY LLP  
3 Embarcadero Center, 20<sup>th</sup> Floor  
San Francisco, CA 94111  
*Counsel for Plaintiff*

**Katelyn Kang, Esquire**  
**Valeria M. Pelet del Toro, Esquire**  
COOLEY LLP  
55 Hudson Yards  
New York, NY 10001  
*Counsel for Plaintiff*

**Elizabeth Reinhardt, Esquire**  
COOLEY LLP  
500 Boylston Street, 14<sup>th</sup> Floor  
Boston, MA 02116-3736  
*Counsel for Plaintiff*

**Andrew D. Barr, Esquire**  
COOLEY LLP  
1144 15th Street Suite 2300  
Denver, CO 80202  
*Counsel for Plaintiff*

**Roberta F. Green, Esquire**  
**Kimberly M. Bandy, Esquire**  
**Shannon M. Rogers, Esquire**  
SHUMAN McCUSKEY & SLICER  
PO Box 3953  
Charleston, WV 25339-3953  
*Counsel for Defendant WV Secondary  
School Activities Commission*

**Kelly C. Morgan, Esquire**  
**Kristen Vickers Hammond, Esquire**  
**Michael W. Taylor, Esquire**  
BAILEY & WYANT  
PO Box 3710  
Charleston, WV 25337-3710  
*Counsel for Defendants WV State Board of  
Education and W. Clayton Burch*

**Brandon Steele, Esquire**  
**Joshua D. Brown, Esquire**  
THE LAW OFFICES OF BRANDON S.  
STEELE  
3049 Robert C. Byrd Drive, Suite 100  
Beckley, WV 25801  
*Counsel for Defendant-Intervenor Lainey  
Armistead*

**Christina Holcomb, Esquire**  
ALLIANCE DEFENDING FREEDOM  
440 First Street NW, Suite 600  
Washington, DC 20001  
*Counsel for Defendant-Intervenor Lainey  
Armistead*

**Travis Barham, Esquire**  
ALLIANCE DEFENDING FREEDOM  
1000 Hurricane Shoals Rd NE  
STE D-1100  
Lawrenceville GA 30043  
*Counsel for Defendant-Intervenor Lainey  
Armistead*

**Douglas P. Buffington, II, Esquire**  
**Curtis R. Capehart, Esquire**  
**David C. Tryon, Esquire**  
WV ATTORNEY GENERAL'S  
OFFICE  
State Capitol Complex  
Building 1, Room 26E  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0220  
*Counsel for Defendant The State of  
West Virginia*

**Jonathan Scruggs, Esquire**  
**Roger G. Brooks, Esquire**  
**Henry W. Frampton, IV, Esquire**  
ALLIANCE DEFENDING FREEDOM  
15100 N. 90<sup>th</sup> Street  
Scottsdale, AZ 85260  
*Counsel for Defendant-Intervenor  
Lainey Armistead*

**Rachel Csutoros, Esquire**  
**Tyson Langhofer, Esquire**  
ALLIANCE DEFENDING FREEDOM  
44180 Riverside Parkway  
Lansdowne, VA 20176  
*Counsel for Defendant-Intervenor  
Lainey Armistead*

**Timothy D. Ducar, Esquire**  
Law Offices of Timothy D. Ducar, PLC  
7430 E. Butherus Drive, Suite E  
Scottsdale, AZ 85260  
*Counsel for Defendant-Intervenor  
Lainey Armistead*

STEPTOE & JOHNSON PLLC  
OF COUNSEL

/s/ Susan L. Deniker

Susan L. Deniker (WV ID #7992)  
Jeffrey M. Cropp (WV ID #8030)  
400 White Oaks Boulevard  
Bridgeport, WV 26330-4500  
(304) 933-8000

*Counsel for Defendants Harrison County Board of  
Education and Dora Stutler*